

## Exhibit 4

**Sheffler, Scott**

---

**From:** Taylor, Natasha <FOIAREQUEST@HHS.GOV>  
**Sent:** Wednesday, October 24, 2018 9:11 AM  
**To:** Sheffler, Scott  
**Subject:** FOIA Request # 2018-00981-FOIA-OS  
**Attachments:** FOIA Denial Response Template.pdf

RE: FOIA Request # **2018-00981-FOIA-OS**

**October 24, 2018**

Dear Mr. Sheffler,

This is the final determination regarding your May 11, 2018 Freedom of Information Act request. Thank you and best regards.

Sincerely,

Natasha Taylor  
Government Information Specialist



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Assistant Secretary for Public Affairs  
Washington, D.C. 20201

**Case No. 2018-00981-FOIA-OS**

**October 24, 2018**

Scott S. Sheffler  
Partner  
Feldesman + Tucker + Leifer + Fidell  
1129 20th Street, NW, Ste. 400  
Washington, DC 20036  
Via email: [ssheffler@ftlf.com](mailto:ssheffler@ftlf.com)

Dear Mr. Sheffler:

This letter is the final response to your May 11, 2018, Freedom of Information Act (FOIA) request. Specifically, you requested the following records: "... a copy of HHS's Grants Policy Administration Manual ("GPAM"), as referenced on the Office of Grants Policy, Oversight and Evaluation's website <https://w.w.w.hhs.gov/about/agencies/asfr/ogapa/grants/ogpoe/index.html>).".

A representative from the office of the Assistant Secretary for Financial Resources (ASFR) conducted a search and located **326 pages** of responsive records. After a careful review of these pages, I have determined to withhold them in their entirety, pursuant to Exemptions 2 and 5 of the FOIA (5 U.S.C. §552 (b)(2),(b)(5)).

FOIA exemption (b)(2) permits the withholding of records that are related solely to the internal personnel rules and practices of an agency.

FOIA exemption (b)(5) protects inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency. This exemption protects documents that would be covered by any privilege an agency could assert in a civil proceeding. These privileges include, among others, the deliberative process privilege, the attorney-client privilege, and the attorney work-product privilege. In this instance, the deliberative process privilege applies.

If you believe that the information withheld should not be exempt from disclosure, or this response constitutes an adverse determination, you may appeal. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision.

Your appeal must be mailed within 90 days from the date of receipt of this letter, to:

Ms. Kim Hutchinson  
Deputy Agency Chief FOIA Officer  
U.S. Department of Health and Human Services  
Office of the Assistant Secretary for Public Affairs  
Room 729H  
200 Independence Avenue, S.W.  
Washington, DC 20201

ENCLOSURE (6)

Please clearly mark both the envelope and your letter “Freedom of Information Act Appeal.”  
You may also e-mail your appeal to: [HHS.ACFO@hhs.gov](mailto:HHS.ACFO@hhs.gov).

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact the HHS FOIA Public Liaison for assistance at:

Michael Bell  
HHS FOIA Public Liaison  
U.S. Department of Health and Human Services  
Office of the Assistant Secretary for Public Affairs  
Room 729H  
200 Independence Avenue, S.W.  
Washington, DC 20201

Telephone: (202) 260-0793  
E-mail: [HHS\\_FOIA\\_Public\\_Liaison@hhs.gov](mailto:HHS_FOIA_Public_Liaison@hhs.gov)

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman’s office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road–OGIS  
College Park, MD 20740-6001

Telephone: 202-741-5770  
Toll-Free: 1-877-684-6448  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Fax: 202-741-5769

There are no charges in this instance because the billable costs are less than our threshold of \$25.

Sincerely yours,



For

Michael S. Marquis  
Director  
FOI/Privacy Acts Division

Enclosure(s)